

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

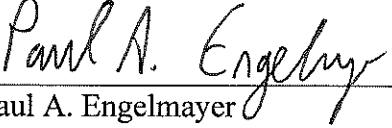
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SERIES 2020A OF NAHLA CAPITAL LLC,	:	
	:	22 Civ. 7122 (PAE)
Plaintiff,	:	
	:	<u>ORDER</u>
-v-	:	
	:	
ALYSSA SOTO BRODY,	:	
	:	
Defendant.	:	
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PAUL A. ENGELMAYER, District Judge:

On March 29, 2023, the Court received a declaration and accompanying exhibit from plaintiff Series 2020A of Nahla Capital LLC (“Series 2020A”), responding to the Court’s March 28, 2023 Order seeking information regarding plaintiff’s citizenship for the purposes of assessing diversity jurisdiction in this matter. The Court, based on a review of Series 2020A’s declaration and organizational chart, appears to lack diversity jurisdiction over this matter insofar as Series 2020A is properly considered a citizen of Florida, and defendant Alyssa Soto Brody (“Brody”), is also a citizen of Florida. No other basis for subject matter jurisdiction has been identified.

“[S]ubject matter jurisdiction is an unwaivable *sine qua non* for the exercise of federal judicial power.” *Curley v. Brignoli, Curley & Roberts Assocs.*, 915 F.2d 81, 83 (2d Cir. 1990). Accordingly, the Court is prepared to remand this matter to New York state court. Brody is ordered to file a letter by March 31, 2023, indicating whether it objects to remand, and if so, concretely and with substantiation, setting forth the basis on which this Court has subject-matter jurisdiction in this case.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: March 30, 2023
New York, New York